रजिस्ट्री सं० डी० 221 REGISTERED No. D. 221

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY

भाग II —खण्ड 3—उपखण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 369] नई दिल्ली, वृहस्पतिवार, नवम्बर 10, 1966/कार्तिक 19, 1888
No. 369] NEW DELHI, THURSDAY, NOVEMBER 10, 1966/KARTIKA 19, 1888

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW

(Legislative Department)

NOTIFICATION

New Delhi, the 9th November 1966

S.O. 3450.—In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (43 of 1951), the Central Government, after consulting the Election Commission, hereby makes the following rules further to amend the Conduct of Elections Rules, 1961, namely:—

1. **Short title.**—These Rules may be called the Conduct of Elections (Amendment) Rules, 1966.

2. **Amendment of Rule 2.**—In sub-rule (1) of rule 2 of the Conduct of Elections Rules 1961 (hereinafter referred to as the said Rules) for clause (g) the following clauses shall be substituted, namely:—

"(g) 'Form' means a Form appended to these rules and, in respect of any election in a State, includes a translation thereof in any of the languages used for official purposes of the State;

(gg) 'marked copy of the electoral roll' means the copy of the electoral roll set apart for the purpose of recording the serial numbers of ballot papers issued to electors at an election."

3. **Amendment of Rule 8.**—For rule 8 of the said Rules, the following rule shall be substituted, namely:—

"8. *List of validly nominated candidates.*—(1) The list of validly nominated candidates referred to in sub-section (8) of section 36 shall be in Form 4.

(2) The name of every such candidate shall be shown in said list as it appears in his nomination paper:

Provided that if a candidate considers that his name is incorrectly spelt or is otherwise incorrectly shown in his nomination paper or is different from the name by which he is popularly known, he may, at any time before the list of contesting candidates is prepared, furnish in writing to the returning officer the proper form and spelling of his name and the returning officer shall, on being satisfied as to the genuineness of the request, make the necessary correction or alteration in the list in Form 4 and adopt that form and spelling in the list of contesting candidates."

4. **Amendment of Rule 12.**—For sub-rule (1) of rule 12 of the said Rules, the following sub-rule shall be substituted, namely:—

"(1) Any appointment of an election agent under section 40 shall be made in Form 8 and the notice of such appointment shall be given by forwarding the same in duplicate to the returning officer who shall return one copy thereof to the election agent after affixing thereon his seal and signature in token of his approval of the appointment."

5. **Amendment of Rule 20.**—In sub-rule (2) of rule 20, after the words 'vote in person at an election', the words 'in a parliamentary or assembly constituency' shall be inserted;

6. **Amendment of Rule 23.**—In clause (a) of sub-rule (2) of rule 23 of the said Rules, for the words and brackets 'the copy of the electoral roll set apart for the purpose (hereinafter referred to as the marked copy of the electoral roll)', the words 'the marked copy of the electoral roll' shall be substituted;

7. **Amendment of Rule 24.**—In clause (c) of sub-rule (2) of rule 24 of the said Rules, after the words 'gazetted officer', the words 'or the presiding officer of the polling station at which he is on election duty' shall be inserted;

8. **Amendment of Rule 27.**—In sub-rule (1) of rule 27 of the said Rules, for the figures and letters '10 a.m.' the words 'the hour fixed for the close of the poll' shall be substituted;

9. **Insertion of New Rule 33A.**—After rule 33 of the said Rules, the following rule shall be inserted, namely:—

"33A *Marked copy of electoral roll.*—Immediately before the commencement of the poll, the presiding officer shall also demonstrate to the polling agents and others present that the marked copy of the electoral roll to be used during the poll does not contain any entries other than those made in pursuance of clause (b) of sub-rule (2) of rule 20 and clause (a) of sub-rule (2) of rule 23."

10. **Amendment of Rule 38.**—In sub-rule (2) of rule 38 of the said Rules, for the words 'the copy of the electoral roll set apart for the purpose', the words 'the marked copy of the electoral roll' shall be substituted;

11. **Amendment of Rule 56.**—In sub-rule (4) of rule 56 of the said Rules,— shall be added;

(a) for the word 'record' the word 'endorse' shall be substituted; and

(b) after the word 'stamp', the words 'and shall initial such endorsement'

12. **Amendment of Rule 63.**—In clause (a) of sub-rule (5) of rule 63 of the said Rules, after the words 'in accordance with', the figures and letter 'rule 54A' shall be inserted;

13. **Amendment of Rule 65.**—In rule 65 of the said Rules—

(a) for the words and figures 'rules 53 to 60' the words and figures 'rules 53, 54 and 55 to 60' shall be substituted; and

(b) for the words and figures 'rules 62 to 64', the words and figures 'rule 54A, 63 and 64' shall be substituted;

14. **Amendment of Rule 70.**—In rule 70 of the said Rules, for the words and figures 'rules 28 to 48', the words and figures 'rules 28 to 35 and 36 to 48' shall be substituted;

15. **Substitution of New Form 1.**—For Form 1 of the said Rules, the following Form shall be substituted, namely:—

"FORM 1

Notice of Election

[*See* rule 3]

Notice is hereby given that:—

(1) an election is to be held of a member to the House of the People/.....Legislative Assembly/.....Legislative Council in the constituency;

[or

(1) an election is to be held of a member(s) to the Council of States/.....Legislative Council/.....by the elected members of the.....Legislative Assembly].

(2) nomination papers may be delivered by a candidate or his proposer to the Returning Officer or to....., Assistant Returning Officer, at.....between 11 a.m. and 3 p.m. on any day (other than a public holiday) not later than the;

(3) forms of nomination paper may be obtained at the place and times aforesaid;

(4) the nomination papers will be taken up for scrutiny at..... on.....at.....;

(5) notice of withdrawal of candidature may be delivered by a candidate or his proposer or his election agent to either of the officers specified in paragraph (2) above at his office before 3 P.M. on the.....;

(6) in the event of the election being contested, the poll will be taken on between the hours of and

Place.....

Date..... Returning Officer."

16. **Amendment of Form 13D.**—(1) In Form 13D (as used at an election to the House of the People or the Legislative Assembly) of the said Rules.—

(a) in Part I, in para 6, (i) for clause (a), the following clauses shall be substituted, namely:—

"(a) if he is a member of the armed forces of the Union, or of an armed police force of a State but is serving outside that State, by such Officer as may be appointed in this behalf by the Commanding Officer of the unit, ship or establishment in which the voter or her husband, as the case may be, is employed, or if he is employed under the Government of India in a post outside India, by such officer as may be appointed in this behalf by the diplomatic or consular representative of India in the country in which such voter is resident;"

(ii) for clause (c), the following clause shall be substituted, namely:—

"(c) if he is on election duty, by any gazetted officer or by the presiding officer of the polling station in which he is on election duty";

(b) in Part II, (i) for paragraphs (e) and (f), the following paragraphs shall be substituted, namely:—

"(e) You must ensure that the cover reaches the returning officer before* P.M. on.....*.

(f) Please note that—

(i) if you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected; and

(ii) if the cover reaches the returning officer after.....* p.m. on the.....* your vote will not be counted.";

(ii) the following footnote shall be added at the end, namely:—

"*Here specify the hour and date fixed for the close of the poll.";

(2) in Form 13D (as used at an election to the Council of States or to the Legislative Council of a State), in Part II, (a) for paragraphs 5 and 6, the following paragraphs shall be substituted, namely:—

"5. You must ensure that the cover reaches the returning officer before* P.M. on the.*.

6. Please note that—

(i) if you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected; and

(ii) if the cover reaches the returning officer after*..... P.M. on the* your vote will not be counted";

(b) the following footnote shall be added at the end, namely:—

"*Here specify the hour and date fixed for the close of the poll".

17. **Amendment of Form 16.**—In Form 16 of the said Rules, in Part I, for item No. 5, the following shall be substituted, namely:—

"5. Ballot papers used as tendered ballot papers".

[No. F. 7(3)/64-Elec.]

S. P. SEN-VARMA, Secy.

PRINTED IN INDIA BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, 1966